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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,229	02/23/2006	Hiroyuki Atake	Q93395	7824
23373 7590 07/07/2010 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
ABRAHAM, AM/AD A				
ART UNIT		PAPER NUMBER		
1791				
NOTIFICATION DATE		DELIVERY MODE		
07/07/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/569,229

Applicant(s)

ATAKE, HIROYUKI

Examiner

AMJAD ABRAHAM

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/22/2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- _____ Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
_____ Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Applicant's remarks and amendments, filed on April 22, 2010 have been carefully considered. Claim 6 has been added as a new claim. Claims 1-6 are pending review in this action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Atake (USP No. 6,325,607).

3. Regarding claims 1 and 5-6, Atake teaches an injection molded-in foil decoration apparatus. **(See abstract).**

a. The apparatus comprising:

i. A male mold.

(1) **See part 25 of figure 1.**

ii. A female mold.

(2) **See part 12 of figures 1-2.**

iii. A transport chuck system for feeding a decorative sheet between a male mold and said female mold.

- (3) **See part 57 of figure 2.**
- iv. A clamber for pressing and fastening said sheet on a parting surface of said female mold

(4) **See part 20 in figure 2.**
- v. Wherein the transport chuck system comprises two clamping devices (pinching chucks) on each side of the decorative sheet.

(5) **See parts 60 of figure 2.**
- vi. Wherein said clamber comprises a pushing frame that abuts on the parting surface of said female mold thereby pressing the sheet.

(6) **See part 20 of figure 2 showing clamber (rectangular section of part 20 is the pushing frame).**

(7) **See figures 4-5 showing parts 20 (clamber) abutting against the parting surface of the female mold (12).**
- vii. At least one connecting member in which a means of driving is connected to in order to move the pushing frame.

(8) **See connecting member (parts around rectangular pushing frame) in part 20 in figures 1-2.**

(9) **See drive means (rods) in par 24 of figure 1.**
- viii. Wherein the clamber is formed in such a way that when the pushing frame (rectangular portion of part 20) contacts the parting surface (14) of the female mold—there is a space between the connecting

member and the parting surface. (See figures 4-5, column 7 lines 43-52, and column 12 lines 19-31).

(10) See figure 5 depicted below--- The lines emanating from parts 21, 64, 66, and 67 to a common point on the parting surface of the female mold show the space between the connecting member and the parting surface.

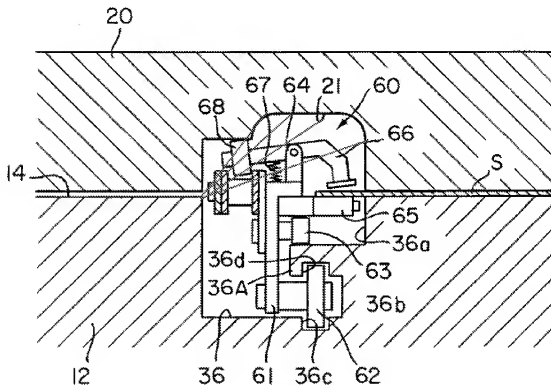


FIG. 5

b. Additionally with regards to claim 6, Atake teaches a means for feeding the decorative sheet into the clamping position. (See part 5 of figure 2 and parts 60).

ix. The claim limitation, "means for feeding", is a means plus function limitation that invokes 35 USC 112 6th paragraph and the corresponding structure is seen in figure 2 part 31 of applicant's specification. Part 31 of figure 31 are clamping/gripping devices which grip and move a feed sheet into position in the injection molding machine.

4. Regarding claim 2, Atake teaches wherein the transport chuck is movable in a direction perpendicular to the direction of the movement of the male mold in respect to the female mold and wherein a reel is fixed to a female mold to supply sheet.

c. **See figure 1 showing sheet being fed from a reel system to a position between a closable female and male mold. (See figure 1).**

5. Regarding claim 3, Atake teaches additionally comprising feeding said decorative sheet between said male mold and said female mold by moving said clamping devices of said transport chuck with said decorative sheet being clamped by said clamping devices, pressing and fastening said sheet onto said parting surface by said clasper, releasing the grasping of said sheet by said clamping devices while maintaining the pressed state, and bringing said clamping devices back to their original position through the space between said damper and said female mold.

d. **See figures 1-5.**

e. **See column 4 lines 39-58.**

f. **See column 6 lines 30-44.**

g. **See column 7 lines 43-52.**

h. **See column 12 lines 19-31.**

6. Regarding claim 4, Atake teaches feeding said decorative sheet between said male mold and said female mold by moving said clamping devices of said transport chuck with said sheet being clamped by said clamping devices; pressing and fastening said sheet onto said parting surface of said female mold by said clasper; releasing the grasping of said sheet by said clamping devices while maintaining the pressed state; bringing said clamping devices back to their original position through the space between said damper and said female mold; and separating said female mold and said female mold while simultaneously feeding a new decorative sheet between said male mold and said female mold by said transport chuck.

- i. **See figures 1-5.**
- j. **See column 4 lines 39-58.**
- k. **See column 6 lines 30-44.**
- l. **See column 7 lines 43-67.**
- m. **See column 12 lines 19-31.**

Response to Arguments

7. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See JP 05-278065 disclosing a clamping system which forms a

space between the connecting member and the parting surface for an injection molding machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMJAD ABRAHAM whose telephone number is (571)270-7058. The examiner can normally be reached on Monday through Friday 8:00 AM to 5:00 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Phillip Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAA

/Philip C Tucker/

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Supervisory Patent Examiner, Art Unit 1791